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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,157	07/17/2003	Warren R. White	2106-00101	1912
23505	7590	12/30/2003		
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			EXAMINER GRILES, BETHANY L	
			ART UNIT 3643	PAPER NUMBER

DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,157

Applicant(s)

WHITE, WARREN R.

Examiner

Bethany L. Griles

Art Unit

3643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/17/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-17 and 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-17, 28-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 12-17 and 28-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Mollhagen (US4829936).
2. Regarding claim 12, Mollhagen discloses a trailer having a frame 28, 86 and at least one set of wheels 136; a squeeze chute mounted on the trailer (col 7, line 50); wherein an entrance portion of the squeeze chute faces the back of the trailer (col 7, line 49) and an exit portion of the squeeze chute faces the front of the trailer (atop element 108); wherein at least one set of wheels are adapted to raise relative to the frame of the trailer such that a portion of the frame of the trailer rests at ground level when treating animals (col 6, lines 50-63).
3. Regarding claim 13, Mollhagen discloses an offset walkway (col 4, lines 38-45), forcing animals to proceed in single file to the entrance of the squeeze chute (see fig 3)

4. Regarding claims 14 and 29, Mollhagen discloses a first gate 49, a second gate 63 and a third gate 102.

5. Regarding claim 15, Mollhagen discloses a set of fence panels connected to the back of the trailer (col 4, lines 14-29) wherein the fence panels fold up proximate to the back of the trailer for relocation, and wherein the panels form a squeeze pen when unfolded.

6. Regarding claims 16 and 30, Mollhagen discloses a first fence panel connected to and extending substantially perpendicularly from the back of the trailer when in the unfolded configuration 40; a second fence panels connected to and extending substantially perpendicularly from the back of the trailer, connected on a second side of the offset walkway (col 4, lines 38-45); a circular fence panel 36 connected to the second fence panel 49 ; and a gate panel 49 connected to the first fence panel, configured to swing within an area bounded in part by the circular fence panel (see fig 6).

7. Regarding claims 17 and 31, Mollhagen discloses a first hydraulic cylinder 162 connected to a wheel 136 on the first side of the trailer; and a second hydraulic cylinder 162 connected to a wheel 136 on the second side of the trailer.

8. Regarding claim 28, Mollhagen discloses a trailer having a frame 28, 86 and at least one set of wheels 136; a squeeze chute mounted on the trailer (col 7, line 50); an offset walkway (col 4, lines 38-45); a plurality of gates 49, 63, 102; a set if fence panels (col 4, lines 14-29) that open to form a squeeze pen (fig 6); and wherein at least one set of wheels are adapted to raise relative to the frame of the trailer such that at least a

portion of the frame of the trailer rests at ground level when treating animals (col 6, lines 50-63).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Daniels US6609480; Kleinsasser US6336426; Schulte US5950562; Patterson US2754802; Waring-Brown US5660143; Pughe GB2278266A.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bethany L. Griles whose telephone number is 703.305.1839. The examiner can normally be reached on Monday through Friday 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 703.308.2574. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.5771.


blg

Bethany L. Griles
Examiner
Art Unit 3643


Peter M. Poon
Supervisory Patent Examiner
Technology Center 3600